

1 PHOEBE V. REDMOND, ESQ.
Nevada Bar No. 9657
2 CRYSTAL J. HERRERA, ESQ.
Nevada Bar No. 12396
3 CLARK COUNTY SCHOOL DISTRICT
4 OFFICE OF THE GENERAL COUNSEL
5100 West Sahara Avenue
5 Las Vegas, Nevada 89146
6 Tel: (702) 799-5373
7 Fax: (702) 799-5505
8 redmopv@nv.ccsd.net
herrec4@nv.ccsd.net
Attorneys for Clark County School District

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11
12 ELISEO NAPOLES, MARIA NAPOLES
13 AND M.N., A MINOR, BY AND
THROUGH HIS GUARDIAN AD LITEM,

14 Plaintiffs,

15 v.

16 CLARK COUNTY SCHOOL DISTRICT,
17 DOES I through X, inclusive; ROE
18 CORPORATIONS I through X, inclusive,

19 Defendant.

CASE NO.: 2:19-cv-01474-APG-BNW

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(FIFTH REQUEST)

20 Plaintiffs Eliseo Napoles, Maria Napoles, and M.N., by and through his guardian ad litem,
21 (hereinafter, "Plaintiffs"), and Defendant Clark County School District (hereinafter,
22 "Defendant"), by and through their respective attorneys of record, hereby stipulate to extend the
23 rebuttal expert deadline 14 days and the remaining discovery deadlines 60 days. This is the
24 parties' fifth request for an extension of discovery deadlines.

25 **1. DISCOVERY COMPLETED TO DATE:**

26 A. Plaintiffs served Initial Disclosures on Defendant on January 24, 2020, and First
27 Supplemental Disclosures on August 20, 2020.
28

1 B. Defendant served Initial Disclosures on Plaintiffs on January 27, 2020, First
2 Supplemental Disclosures on July 9, 2020, and Second Supplemental Disclosures on July 10,
3 2020.

4 C. Plaintiffs provided Defendant with Medical Record Release Authorizations, and
5 Defendant correspondingly served subpoenas for M.N.'s medical records.
6

7 D. Plaintiff M.N. served discovery in the form of Interrogatories, Requests for
8 Documents, and Requests for Admissions on May 12, 2020. Defendant provided its responses.
9 Plaintiff requested certain supplemental responses to Defendant's Interrogatory answers,
10 responses to Request for Production of Documents and Requests for Admissions and in
11 accordance with a meet and confer on October 12, 2020, Defendant provided supplemental
12 answers and responses to Request for Admissions and Interrogatory. The parties continue to
13 discuss the parameters of certain e-discovery requests made by Plaintiff so that Defendant may
14 provide a supplemental response to said requests.
15

16 E. Plaintiff M.N. served a supplemental request for production of documents on
17 September 18, 2020. Defendant provided its response.

18 F. Defendant served discovery on all Plaintiffs in the form of Interrogatories and
19 Requests for Production of Documents, on June 5, 2020. Plaintiffs have provided responses and
20 supplemental responses.
21

22 G. Plaintiffs served initial expert reports on Defendant, on October 30, 2020.

23 **2. DISCOVERY YET TO BE COMPLETED:**

24 A. Plaintiff is taking the deposition of a fact witness on December 3, 2020. Plaintiffs
25 intend to take the depositions of other fact and expert witnesses.

26 B. Defendant intends on receiving M.N.'s remaining medical records in response to
27 subpoenas and to take the depositions of Plaintiffs, along with other fact and expert witnesses.
28

1 Defendant scheduled Eliseo and Maria Napoles' depositions to take place on November 24,
2 2020, however the depositions were vacated in light of new pandemic-related directives.

3 C. On August 10, 2020, Defendant requested a time to take Plaintiff M.N.'s
4 deposition. Plaintiff is seeking to confer with M.N.'s doctors on whether M.N. is physically and
5 mentally capable of being deposed.
6

7 **3. REASONS DISCOVERY COULD NOT BE COMPLETED WITHIN THE**
8 **EXISTING DEADLINE.**

9 Good cause exists for this extension, as the current coronavirus/COVID-19 pandemic has
10 caused, and continues to cause, disruption to the practices of counsel involved in this case. The
11 parties have been diligent in conducting discovery, including engaging in meet-and-confers,
12 providing supplemental discovery responses, noticing depositions, and disclosing initial expert
13 witnesses. However, the parties had to vacate Eliseo and Maria Napoles depositions', scheduled
14 to take place on November 24, 2020, due to new pandemic-related directives and the surge of
15 COVID-19 cases in the valley. Those depositions are in the process of being rescheduled. The
16 parties are also engaging in discussions on M.N.'s medical ability to be deposed. Furthermore,
17 Defendant requires additional time to produce reports in response to Plaintiffs' expert reports, as
18 the pandemic in conjunction with the holidays in November have delayed the ability to obtain
19 said reports by the current deadline. In order to allow the parties to complete the remaining
20 discovery provided above, the parties respectfully request the rebuttal expert deadline be extended
21 two (2) weeks, while the other remaining discovery deadlines be extended sixty (60) days. This
22 is the fifth request for an extension, which is made in good faith and not for the purposes of delay.
23

24 ...

25 ...

26 ...

27 ...

4. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY AND OTHER DISCOVERY DEADLINES.

The parties stipulate and agree to a proposed extension of the deadlines as set forth below:

	Current Deadline	Revised Deadline
Close of Discovery	January 15, 2021	March 16, 2021
Disclosure of Rebuttal Experts and their Reports	December 7, 2020	December 21, 2020
Dispositive Motions	February 16, 2021	April 15, 2021
Pretrial Order	March 15, 2021	May 17, 2021 (If dispositive motions are filed, 30 days after the court's ruling)

Dated: December 2, 2020

Dated: December 2, 2020

HATFIELD & ASSOCIATES, LTD.

CLARK COUNTY SCHOOL DISTRICT
OFFICE OF THE GENERAL COUNSEL

By: /s/ Trevor J. Hatfield
Trevor J. Hatfield (#7373)
703 S. Eighth Street
Las Vegas, Nevada 89101
Attorney for Plaintiffs

By: /s/ Crystal J. Herrera
Phoebe V. Redmond (#9657)
Crystal J. Herrera (#12396)
5100 West Sahara Avenue
Las Vegas, Nevada 89146
Attorneys for Defendant

ORDER

IT IS SO ORDERED

DATED: 12:39 pm, December 04, 2020

**BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE**